

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID EARL POPE,

No. C 06-1829 SI (pr)

Petitioner,

**ORDER DISMISSING MOTION FOR
SUMMARY JUDGMENT**

v.


ROSEANNE CAMPBELL, warden,

Respondent.

Petitioner has filed a motion for partial summary judgment in this habeas action. The motion is DISMISSED as unnecessary. (Docket # 20.) Respondent filed her answer on February 7, 2007, and petitioner's traverse is due on June 1, 2007. There is no need for the additional step of a motion for summary judgment; it would confuse the record, require further briefing by the parties and require additional work by the court when the legal issues can and will be resolved in the regular course of consideration of the habeas petition. The court will address the legal issues arising from each of the claims asserted in the petition after the traverse is filed. Petitioner is cautioned that his traverse must include all of his arguments about all of his claims. He is further cautioned that the traverse may not exceed 25 pages in length and must be double-spaced text (whether handwritten or typed).

IT IS SO ORDERED.

DATED: May 1, 2007



SUSAN ILLSTON
United States District Judge